

IN RE: PETITION FOR SPECIAL HEARING
M/S Rossville Boulevard, 649' N of
the c/l of Lillian Holt Drive
(7750 Rossville Boulevard)
14th Election District
6th Councilmanic District
Perry Hall Mini Storage & Co.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-260-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 7750 Rossville Boulevard, located in the Fullerton area of eastern Baltimore County. The Petition was filed by the owners of the property, Perry Hall Mini Storage and Company, a Maryland General Partnership, through T. C. Julio, a General Partner, and their attorney, Anthony J. DiPaula, Esquire. The Petitioners seek approval to amend Restriction 2 of the Order issued December 7, 1990 by the Baltimore County Board of Appeals in Case No. R-90-413 to permit a double-faced identification sign of 51.33 sq.ft. per side in lieu of the 36 sq.ft. per side granted in the prior case. The subject property and the relief sought are more particularly described on the plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Ted C. Julio, General Partner, James E. Matis, Professional Engineer, and Carl W. Richards, Supervisor of Development Control for the Baltimore County Zoning Administration and Development Management (ZADM) office. There were no Protestants present at the hearing.

Testimony established that the subject property consists of a gross area of 9.467 acres, more or less, zoned M.L.-I.M. and is the site of the Perry Hall Mini Storage facility. This property was the subject of

prior Zoning Case Nos. 90-17-SPHXA and 90-186-SPH in which the Petitioners were granted a special hearing, special exception and variances for the existing uses on the site, and Case No. R-90-413 in which the Board of Appeals granted a reclassification of .66 acres of the subject property from D.R. 5.5 to M.L.-I.M. on December 7, 1990 for the purpose of allowing the installation of a lighted sign at the entrance drive to the subject site. However, the relief granted by the Board of Appeals limited the size of the sign to 36 sq.ft. per side. The Petitioners now seek to amend Restriction No. 2 of that Order to permit a sign 51.33 sq.ft. per side. Testimony indicated that a larger sign is necessary to identify the location of the property to motorists travelling on Rossville Boulevard. Inasmuch as the Board's ruling limited the size of the sign, a special hearing is necessary to determine the appropriateness of a larger sign.

Carl Richards, Supervisor of Development Control for ZADM, was subpoenaed to testify on behalf of the Petitioners. Mr. Richards testified that in the opinion of his office, the proposed sign is permitted as a matter of right. He stated that in fact, a sign of up to 150 sq.ft. total would be permitted and approved by ZADM. However, due to Restriction 2 of the Board of Appeals' Order, a special hearing is necessary.

It should also be noted that the Office of Planning and Zoning offered their support of the subject sign on condition that the Petitioners not erect any additional signs on the property for the benefit of the Perry Hall Mini Storage. By letter dated March 16, 1994, Mr. Ted Julio agreed to this understanding and indicated he has no intention of placing any additional signs on the property for Perry Hall Mini Storage. Therefore, an appropriate restriction addressing this issue shall be placed at the end of this Order.

- 2 -

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24 day of April, 1994 that the Petition for Special Hearing to approve an amendment to Restriction 2 of the Order issued December 7, 1990 by the Baltimore County Board of Appeals in Case No. R-90-413 to permit a double-faced identification sign of 51.33 sq.ft. per side in lieu of the 36 sq.ft. per side granted in the prior case, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no further signage placed on the property for the Perry Hall Mini Storage facility.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

April 7, 1994

(410) 807-4396

Anthony J. DiPaula, Esquire
Covahay & Booser
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
M/S Rossville Boulevard, 649' N of the c/l of Lillian Holt Drive
(7750 Rossville Boulevard)
14th Election District - 6th Councilmanic District
Perry Hall Mini Storage & Company - Petitioners
Case No. 94-260-SPH

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 807-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Ted C. Julio
Perry Hall Mini Storage & Company
9640 Deereco Road, Timonium, Md. 21093

People's Counsel

File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 94-260-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to Restriction No. 2 as contained in the Order of December 7, 1990 of the County Board of Appeals in Case No. R-90-413 so as to allow a double-faced sign in an M.L.-I.M. zone which totals 51.33 sq. ft. per side in lieu of 36 sq. ft. per side as originally granted.

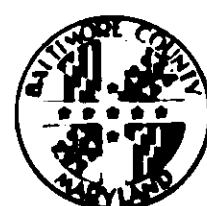
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
Anthony J. DiPaula
(Type or Print Name) Covahay & Booser, P.A.
Signature
614 Bosley Avenue, Towson, MD 21204
Address
City and State
Attorney's Telephone No.: 828-9441

Legal Owner(s):
Perry Hall Mini Storage & Co.
(Type or Print Name) a Maryland General Partnership
By: T.C. Julio, General Partner
(Type or Print Name)
Signature
6640 Deereco Road
Address
Timonium, MD 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Anthony J. DiPaula
Name
614 Bosley Ave., Towson, MD 21204
Address
Phone No. 828-9441



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2 HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHERS
REVIEWED BY: JES
DATE: 12/24/94

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS

640 KENNEWORTH DRIVE, SUITE 100, TIMONIUM, MARYLAND 21094

Description to Accompany Zoning Petition
For Special Hearing in an M.L.-I.M. Zone.
December 17, 1993

Beginning for the first at a point distant North 56° West 683 feet from the intersection of the center lines of Lillian Holt Drive and Rossville Boulevard running thence the 14 following courses, viz:

- 1 - South 37° 05' 58" West 95.91 feet
- 2 - North 69° 34' 18" West 123.00 feet
- 3 - South 34° 41' 42" West 412.99 feet
- 4 - South 85° 41' 42" West 270.00 feet
- 5 - North 01° 41' 42" East 399.00 feet
- 6 - North 37° 33' 33" West 255.72 feet
- 7 - South 69° 28' 42" East 152.30 feet
- 8 - North 24° 51' 32" East 315.35 feet
- 9 - South 74° 07' 07" East 112.00 feet
- 10 - South 24° 19' 52" West 150.00 feet
- 11 - South 74° 07' 07" East 175.00 feet
- 12 - North 24° 19' 52" East 150.00 feet
- 13 - South 74° 07' 07" East 317.36 feet and
- 14 - South 07° 14' 09" West 277.72 feet to the place of beginning.

Containing 8.80 acres of land more or less.
Being Lot 1 and Lot 2 as shown on a plat entitled Final Plat One Perry Hall Mini-Storage dated May 12, 1990 and recorded among the Plat Records of Baltimore County in Plat Book 63 folio 8.

Beginning for the second at a point distant North 24° West 649 feet from the intersection of the center lines of Rossville Boulevard and Lillian Holt Drive running thence the 27 following courses viz:

- 1 - North 74° 27' 27" West 80.81 feet
- 2 - North 07° 12' 20" East 349.44 feet
- 3 - South 65° 34' 41" East 36.89 feet to a point on the west side of Rossville Boulevard thence binding on the west side of Rossville Boulevard
- 4 - By a curve to the right having a radius of 917.43 feet for a distance of 179.23 feet thence leaving Rossville Boulevard

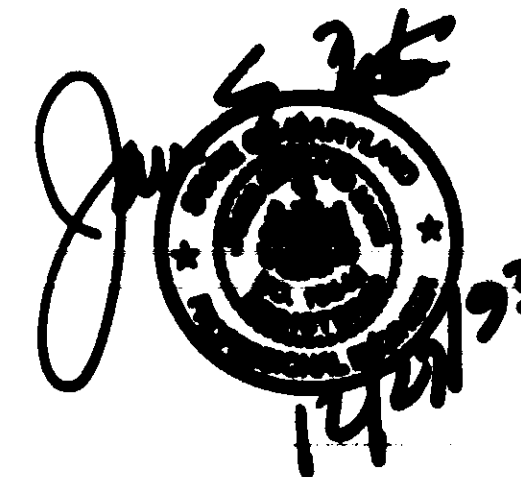
Description to Accompany Zoning Petition
For Special Hearing in an M.L.-I.M. Zone.

December 17, 1993
Page -2-

5 - South 15° 40' 43" West 188.89 feet to the place of beginning.
Containing 0.667 acres of land more or less.

Being the same property described in a deed dated November 22, 1989 between the Baltimore Gas and Electric Company, et al and Perry Hall Mini-Storage and Company.

THIS DESCRIPTION IS INTENDED FOR ZONING PURPOSES AND IS NOT INTENDED FOR USE IN CONVEYANCE OF LAND.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Posted for: Special Hearing
Petitioner: Perry Hall Mini-Storage & Company
Location of property: 7750 Rossville Blvd., W/S. 649' N of Lillian Holt Dr.
Location of Sign: 7750 Rossville Blvd., at entrance to property
Remarks: Being 20 acres
Posted by: M. Kotroco
Date of return: 1/25/94
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. Jan 13, 1994

THIS IS TO CERTIFY, that the attached advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 13, 1994

THE JEFFERSONIAN
A. H. JONES
PUBLISHER

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150
Number

Date: 12/24/93 94-260-SPH

Taken In By: [Signature]
Item Number: 260

540 - Comm Special Hearing - \$250.00
280 - Legal fees - \$135.00
Total - \$385.00

QUANTITY: 10000000
\$285.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

#260
94-260-SPH (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 260
Petitioner: Perry Hall Mini Storage & Co.
Location: 7750 Rossville Blvd.

PLEASE FORWARD ADVERTISING BILL TO:
NAME: Anthony J. DiPaola (County + Rosser, P.A.)
ADDRESS: 614 Bosley Ave, Towson MD 21204
PHONE NUMBER: 828-9441

AL:ggg (Revised 04/09/93)

Item Number: 260
Planner: MAK
Date Filed: 12-28-93

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney
[X] The following information is missing:
 Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only submitted)
 200 scale zoning map with property outlined
 Election district
 Councilmanic district
 BCZR section information and/or wording
 Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or
 printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
 Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TEXTSOH)
11/17/93

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JANUARY 10, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-260-SPH (Item 260)
7750 Rossville Boulevard
W/S Rossville Boulevard, 649' N of c/l Lillian Holt Drive
14th Election District - 6th Councilmanic
Petitioner(s): Perry Hall Mini Storage and Company
HEARING: MONDAY, FEBRUARY 7, 1994 at 9:00 a.m. Rm. 118, Courthouse

Special Hearing to approve an amendment to restriction #2 as contained in the order of December 7, 1990 of the County Board of Appeals in case 88-90-413 so as to allow a double-faced sign in M.L.-I.M. which totals 51.33 sq. ft. per side in lieu of 36 sq. ft. per side, as originally granted.

[Signature]
Arnold Jablon
Director

cc: Perry Hall Mini Storage & Co.
Anthony J. DiPaola, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE UNRECORDED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 17, 1994

NOTICE OF REASSIGNMENT

Rescheduled from 2/7/94
CASE NUMBER: 94-260-SPH (Item 260)
7750 Rossville Boulevard
W/S Rossville Boulevard, 649' N of c/l Lillian Holt Drive
14th Election District - 6th Councilmanic
Petitioner(s): Perry Hall Mini Storage and Company

Special Hearing to approve an amendment to restriction #2 as contained in the order of December 7, 1990 of the County Board of Appeals in case 88-90-413 so as to allow a double-faced sign in M.L.-I.M. which totals 51.33 sq. ft. per side in lieu of 36 sq. ft. per side, as originally granted.

HEARING: THURSDAY, MARCH 17, 1994 at 9:00 a.m. Rm. 118 Old Courthouse.

Changed Rooms PER 2-23-94 Notice

[Signature]
ARNOLD JABLON
DIRECTOR

cc: Perry Hall Mini Storage & Co.
Anthony J. DiPaola, Esq.

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 23, 1994

NOTICE OF REASSIGNMENT

Rescheduled from 2/7/94
CASE NUMBER: 94-260-SPH (Item 260)
7750 Rossville Boulevard
W/S Rossville Boulevard, 649' N of c/l Lillian Holt Drive
14th Election District - 6th Councilmanic
Petitioner(s): Perry Hall Mini Storage and Company

Special Hearing to approve an amendment to restriction #2 as contained in the order of December 7, 1990 of the County Board of Appeals in case 88-90-413 so as to allow a double-faced sign in M.L.-I.M. which totals 51.33 sq. ft. per side in lieu of 36 sq. ft. per side, as originally granted.

HEARING: THURSDAY, MARCH 17, 1994 at 9:00 a.m. in Room 106, County Office Building.

[Signature]
ARNOLD JABLON
DIRECTOR

cc: Perry Hall Mini Storage & Co.
Anthony J. DiPaola, Esq.

Baltimore County Government
Office of Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 31, 1994

Anthony J. DiPaola, Esquire
Covasey & Booser, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 94-260-SPH, Item No. 260
Petitioner: Perry Hall Mini-Storage & Company
Petition for Special Hearing

Dear Mr. DiPaola:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 28, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 18, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for January 18, 1994
Item No. 260

The Developers Engineering Section has reviewed the subject zoning item. This development is not in compliance with its landscape requirements. This request should be denied until compliance is achieved.

RWB:s



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-260 (MJK)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Robert Small
for DAVID N. KANSKY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 737 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: January 13, 1994

SUBJECT: Perry Hall Mini Storage

INFORMATION:

Item Number: 260

Petitioner: T. C. Julio

Property Size: _____

Zoning: M.L.-I.M.

Requested Action: _____

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The 25 square foot sign permitted by the Board of Appeals in 1990 is of a reasonable size. The petitioner has not demonstrated any practical difficulty or unreasonable hardship.

Therefore, this office recommends that the applicant's request be denied.

Prepared by: *Jeffrey W. Love*

Division Chief: *Carol L. Kerns*

PK/JL:lw

ZAC. 260/PZONE/ZAC1

Pg. 1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/05/94

Orville Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
PH: 887-1165

RE: Property Owner: PERRY HALL MINI STORAGE AND COMPANY

LOCATION: W/S ROSSVILLE BLVD., 649' N OF CENTERLINE LILLIAN HOLT DR.
(7750 ROSSVILLE BLVD., PERRY HALL MINI STORAGE)
Item No.: 260 (MJK) Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: LT. ROBERT P. SAHERWOLD
Fire Prevention, PHONE 887-4601, NS-1106F

cc: File

IN RE: PETITION FOR SPECIAL HEARING
7750 ROSSVILLE BOULEVARD
W/S ROSSVILLE BOULEVARD, 649'
N OF C/L LILLIAN HOLT DRIVE
14TH ELECTION DISTRICT
6TH COUNCILMANIC
PERRY HALL MINI STORAGE AND
COMPANY, PETITIONER

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO.: 94-260-SPH
ITEM NO.: 260

RETURN OF PRIVATE PROCESS SERVER

The undersigned hereby certifies as follows:

1. That he is over eighteen (18) years of age and not a party to the above action.
2. That he served W. Carl Richards, Jr., Zoning Coordinator, on the 15th day of March, 1994 at Baltimore County Government, Office of Zoning Administration and Development Management, 111 W. Chesapeake Avenue, Towson, Maryland 21204, by delivering and leaving with Julie Winarski, a copy of the subpoena issued by the Zoning Commissioner for Baltimore County on March 15, 1994.

I do hereby solemnly declare and affirm under the penalties of perjury that the matters and facts herein contained are true and correct to the best of my knowledge, information and belief.

Bruce Covahey
Bruce Covahey
614 Bosley Avenue
Towson, Maryland 21204

IN RE: PETITION FOR SPECIAL HEARING
7750 ROSSVILLE BOULEVARD
W/S ROSSVILLE BOULEVARD, 649' N OF C/L
LILLIAN HOLT DRIVE, 14TH ELECTION DISTRICT
6TH COUNCILMANIC
PERRY HALL MINI STORAGE AND COMPANY
PETITIONER

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-260-SPH, ITEM NO. 260

TO: W. CARL RICHARDS, JR.
ZONING COORDINATOR
BALTIMORE COUNTY GOVERNMENT
OFFICE OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVENUE, TOWSON, MD 21204

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 106, County Office Building

and to bring _____

on the 17 day of March 1994, regarding the above captioned case, for the purpose of testifying at the request of Anthony J. DiPaula, Esquire, Attorney for Petitioner

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Anthony J. DiPaula
Anthony J. DiPaula
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 3/15/94

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Anthony J. DiPaula
JAMES E. MATIS
TEIS JULIO

ADDRESS
614 Bosley Ave. 21204
680 Kenilworth Ave. Towson, Md.
Suite 100 21204
9440 Beersco Rd. Timonium, Md. 21093

PET EX #2

IN THE MATTER OF THE
APPLICATION OF PERRY HALL MINI
STORAGE AND COMPANY FOR A
ZONING RECLASSIFICATION FROM
D.R.5.5 TO M.L.-I.M. ON
PROPERTY LOCATED ON THE SOUTH-
WEST SIDE OF ROSSVILLE BLVD.,
827th NORTH OF PERRY HALL BLVD.,
(7750 ROSSVILLE BLVD.)
14TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. R-90-413
Item #14, Cycle III
1990

OPINION

This case comes before the Board of Appeals on Petition for Zoning Reclassification from D.R.5.5 to M.L.-I.M. for a .16 acre parcel. The case was heard this day in its entirety.

Counsel for the Petitioner entered nine exhibits of evidence describing the location, configuration, and reasons for reclassification of this small parcel. Initially seeking a zoning change for .66 acre, the Petitioner, in consultation with the Office of Planning and Zoning, reduced their request to the smaller acreage (.16 acre) for the purpose of positioning a lighted sign at the entrance drive to their mini-storage facility.

The subject site lies between Rossville Boulevard on the east and on the west is bounded by several public utility conveyances, such as Baltimore Gas & Electric transmission lines and water line easements of the City of Baltimore, all of which lie in a D.R.5.5 zone. To the west of the high tension transmission lines the land is zoned M.L.-I.M. and is the location of the Perry Hall Mini Storage Company, whose access drive is over the subject parcel.

Testimony by Mr. William Kirwin, expert land planner, highlighted the fact that this parcel of land is unbuildable, noting the transmission lines, the existence of wetlands, and prohibitive cost factors for water and sewage hookups. Mr. Kirwin

MAR-16-'94 WED 13:37 10:PLANNING TEL NO:410-897-9862 #456 P01

PET EX #3

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Larry Schmidt Zoning Commissioner DATE: March 16, 1994
FROM: Pat Keller, Deputy Director Office of Planning & Zoning
SUBJECT: PERRY HALL MINI-STORAGE

Based upon the attached letter from Ted Julio and the agreement outlined therein, staff agrees to support the applicant's Petition as requested. It is our understanding that ZADM has indicated a sign as large as 150 sq. ft. could be erected based on a determination that the existing improvement constitutes an industrial park land use.

Pat Keller
Pat Keller, Deputy Director

PK:JL:lw
PAPERRY.HL/PZONE/TEXTLE

Peak-to-peak brand fax transmittal memo 7071 (1 of 2 pages)	
TO: TED JULIO	FROM: PAT KELLER
DATE: 3/16/94	RE: PERRY HALL
PHONE: 561-9100	FAX: 867-5862

HILL

Hill Management Services, Inc.
9630 Deereco Road
Timonium, Maryland 21093
(410) 866-1000

March 16, 1994

Mr. Jeff Long, Community Planner
New County Building
Baltimore County Planning
401 Bosley Avenue, Suite 406
Towson, MD 21204

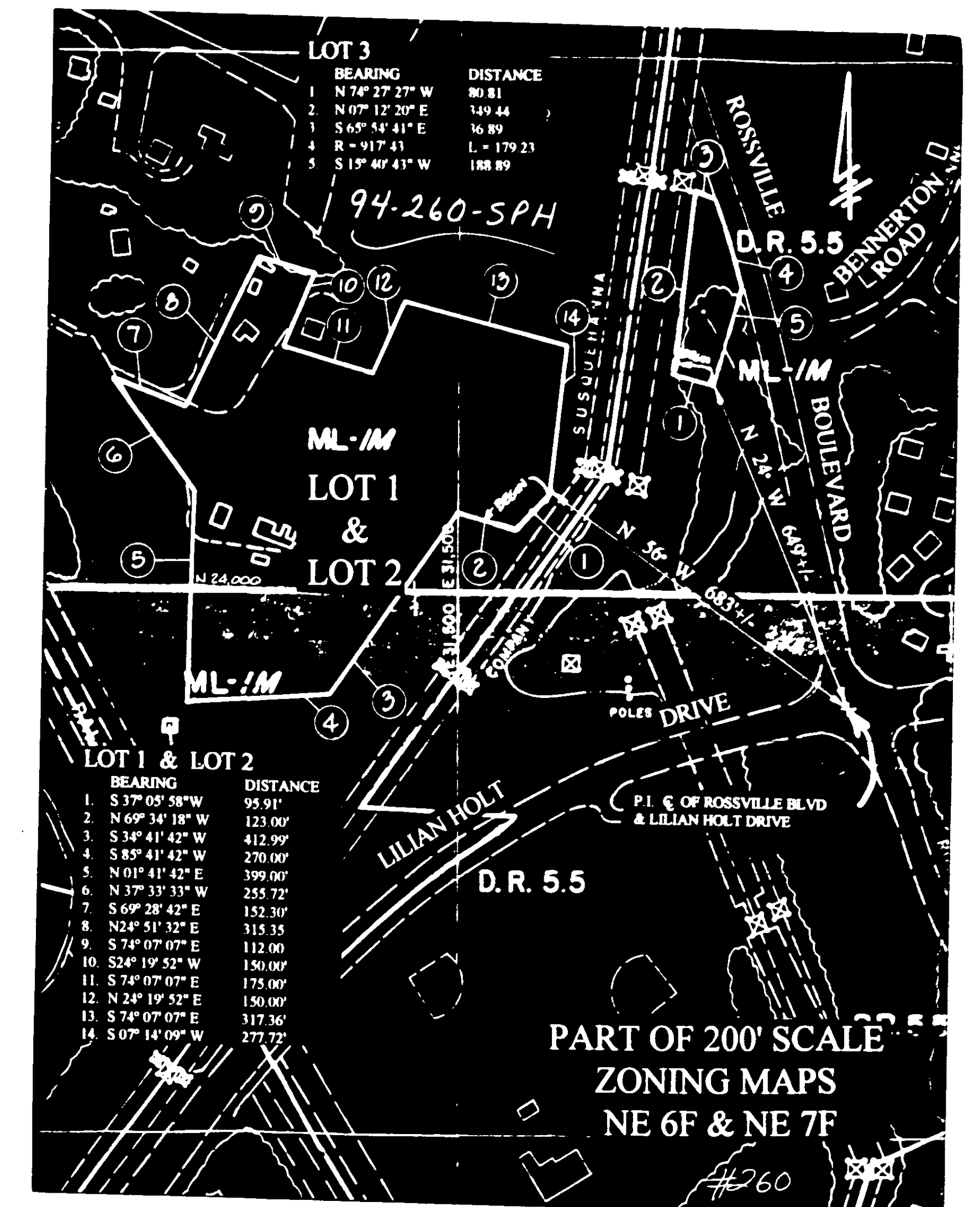
Re: Perry Hall Mini Storage
7750 Rossville Boulevard
Case No. 94-260-SPH

Dear Mr. Long:

Pursuant to our meeting of this day, and in exchange for your office's support of our request for a 51.33 square foot, each side, double faced sign, we agree that Perry Hall Mini Storage will not erect any additional signs on this property for the benefit of the existing use of Perry Hall Mini Storage.

Very truly yours,
T.C. Julio
T.C. Julio
President

TCJ/lms





A SPECIAL HEARING IS REQUESTED TO APPROVE AN AMENDMENT TO RESTRICTION NO.2 AS CONTAINED IN AN ORDER OF DECEMBER 7, 1994 OF THE BALTIMORE COUNTY BOARD OF APPEALS IN CASE # R-90-413 SO AS TO ALLOW A DOUBLE-FACED SIGN TOTALING 51.33 SQUARE FEET PER SIDE IN LIEU OF THE 16 SQUARE FEET PER SIDE AS

